

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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PROCAPUI-PRODUTORES de CAMAROES de
ICAPUI LTDA.**

Plaintiff,

**07 Civil Action
File No. 6627-BSJ**

v.

**MARCIAL GERALD LAYANI, G. F. HIGGINS,
INC., THERESA HIGGINS, as Executrix of
THE ESTATE OF GERALD FRANCIS HIGGINS,
THOMAS HIGGINS, ROBERT HIGGINS,
RICHARD RUBIN and NOEL BLACKMAN,**

**DECLARATION OF
MARCIAL
GERALD LAYANI**

Defendants.
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**MARCIAL GERALD LAYANI, declares the following under penalty of
perjury under the laws of the United States of America:**

**1. I am the person named as a Defendant in the above action although I have
not been served with any process nor have I appeared or otherwise waived
service of process. No appearance or waiver of any kind is intended by signing
this declaration.**

**2. I make this declaration on my own knowledge so the Court will know the
facts regarding my residence and domicile.**

**3. I understand the Complaint in this action alleges that I am a citizen of the
United States and a resident of the State of New York. This is only partly true. I
am a citizen of the United States but I am *not* any longer a resident of New York**

ML

resident of Brazil. I file my income tax returns in Brazil. I have moved out of my home in the U.S. and no longer maintain any residence in the U.S. I have no plans or present intention of returning to the U.S. to live. I have not visited the United States since March, 2003 and, before that, not very often.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 13th, 2007



MARCIAL GERALD LAYANI